

# **IV2272744**

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**INVESTIGATOR'S LOG**

**INCIDENT REPORT DATED AUGUST 21, 2010 WRITTEN BY DEPUTY JASON ROONEY (EMPLOYEE # [REDACTED]).**

**SUPPLEMENTAL REPORT DATED AUGUST 21, 2010 WRITTEN BY DETECTIVE [REDACTED] (EMPLOYEE # [REDACTED]).**

**INCIDENT REPORT DATED MARCH 24, 2010 WRITTEN BY INTERNAL CRIMINAL INVESTIGATIONS BUREAU SERGEANT WILLIAM CASSIDY (EMPLOYEE # [REDACTED]).**

**LOS ANGELES COUNTY DISTRICT ATTORNEY REJECT.**

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT**  
**INTERNAL CRIMINAL INVESTIGATIONS BUREAU**  
**LEADERSHIP AND TRAINING DIVISION**  
**910-00043-2003-441**  
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**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT  
INTERNAL CRIMINAL INVESTIGATIONS BUREAU  
LEADERSHIP AND TRAINING DIVISION  
910-00043-2003-441**

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**IV      MISCELLANEOUS**

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COUNTY OF LOS ANGELES  
**SHERIFF'S DEPARTMENT**

DATE: February 25, 2011  
CSC NO. 10-438

OFFICE CORRESPONDENCE

ATTORNEY/CLIENT PRIVILEGE  
ATTORNEY/CLIENT WORK PRODUCT

FROM:  PIRJO RANASINGHE, ATTORNEY  
ADVOCACY UNIT

TO: KEVIN E. HEBERT, CAPTAIN  
PERSONNEL ADMINISTRATION

ATTN: Alice Martinez

SUBJECT: DESMOND CARTER, DEPUTY SHERIFF, EMPLOYEE NO. 

On September 3, 2010, Deputy Carter was served his Letter of Discharge notifying him that he was discharged from his probationary position of Deputy Sheriff, Item No. 2708A, effective at the close of business Friday, September 3, 2010.

On September 27, 2010, Deputy Carter appealed his discharge from his probationary position of Deputy Sheriff to the Civil Service Commission. On December 8, 2010, the Commission denied his request for a hearing, but afforded him the opportunity to submit an amended petition.

On February 16, 2011, the Commission denied the amended petition for a hearing. Therefore, the matter is now moot.

Please make any necessary changes in your records to reflect the attached denial letter. If you have any questions regarding this matter, please contact me at .

PR:ddt

Attachment

cc: Doreen Garcia, Pay and Leave Management



## CIVIL SERVICE COMMISSION COUNTY OF LOS ANGELES

COMMISSIONERS: EVELYN V. MARTINEZ • VANCE FELTON • CAROL FOX • LYNN ADKINS • Z. GREG KAHWAJIAN  
LAWRENCE D. CROCKER, EXECUTIVE DIRECTOR • SANDY STIVERS, DEPUTY EXECUTIVE DIRECTOR

February 18, 2011

RECEIVED

FEB 23 2011

ADVOCACY UNIT

### NOTICE OF CIVIL SERVICE COMMISSION DECISION

Meeting of February 16, 2011

ITEM NO. 28:

*Amended petition of **DESMOND CARTER** for a hearing on his **discharge during probationary period**, effective September 3, 2010, from the position of Deputy Sheriff, Sheriff's Department, based on his claim of a Civil Service Rule 25 violation, **Case No. 10-438**.*

COMMISSION DECISION:

DENIED.

Anyone desiring to seek review of this decision by the Superior Court may do so under Section 1085 or 1094.6 of the Code of Civil Procedure, as appropriate. An action under Section 1094.6 can only be commenced within 90 days of the decision.

A handwritten signature in cursive script that reads "Lawrence D. Crocker".

Lawrence D. Crocker  
Executive Director


c: Desmond Carter  
Mitchell S. Kander  
Pirjo L. Ranasinghe

COUNTY OF LOS ANGELES  
**SHERIFF'S DEPARTMENT**  
*"A Tradition of Service"*

OFFICE CORRESPONDENCE

DATE June 20, 2011  
FILE NO. IAB IV 2272744

FROM:

  
RANDAL J. STOVER, CAPTAIN  
PITCHESS DETENTION CENTER  
SOUTH FACILITY

TO: DENNIS H. BURNS, CHIEF  
CUSTODY OPERATIONS DIVISION

**SUBJECT: REQUEST TO INACTIVATE ADMINISTRATIVE INVESTIGATION**

The purpose of this correspondence is to request that Case # IV 2272744 be inactivated.

On August 20, 2010, Subject Desmond Carter, employee # [REDACTED] was involved in an off-duty shooting incident and was ultimately listed as a suspect in an Assault With A Deadly Weapon - Firearm, 245(a)(2) P.C. investigation under Los Angeles County Sheriff's Department Supplemental Report # 910-00043-2003-441.

On September 3, 2010, Subject Carter was served a Letter of Discharge notifying him that he was discharged from his probationary position of Deputy Sheriff, effective at the close of business September 3, 2010. On September 27, 2010, he appealed his discharge to the Civil Service Commission, and on December 8, 2010, the Commission denied his request and afforded him the opportunity to submit an amended petition. On February 16, 2011, the Commission denied a hearing for the amended petition.

On November 2, 2010, Internal Criminal Investigations Bureau Sergeant William Cassidy, employee # [REDACTED] submitted the case for filing to Assistant Head Deputy District Attorney John Moulin of the Justice System Integrity Division. On March 17, 2011, Justice System Integrity Division Deputy District Attorney Jason Lustig completed his review of the case, and declined to initiate criminal proceedings against Subject Carter.

I have reviewed the facts of this incident, and with the concurrence of Angelica Arias of the Office of Independent Review, have determined this case should be inactivated. I am satisfied that this matter has been handled appropriately.

Should you or your staff have any questions concerning this matter, please contact me at (661) 295-8022.

RJS:JLW:jlw



CC CITY OF LOS ANGELES SHERIFF'S DEPARTMENT  
INCIDENT REPORT

IT NOT FOR PRESSBOARD

A TRADITION OF SERVICE

DATE 08-21-10

PAGE 1 OF 4

ACTION: ☒ ACTIVE ☐ INACTIVE ☐ PENDING ☐ NON-CRIMINAL ☐ # OF ADULT ARRESTS 0 ☐ # OF SUBJECT DEVIATIONS 0

URN # 9 10 13715 0623 057

CLASSIFICATION 1 / LEVEL / STATCODE ASSAULT WITH A DEADLY WEAPON ON A PEACE OFFICER, 245 (C) PC/F 057

CLASSIFICATION 2 / LEVEL / STATCODE

CLASSIFICATION 3 / LEVEL / STATCODE

DATE, TIME, DAY OF OCCURRENCE 08-20-10 2230 HOURS FRIDAY

LOC. OF OCCURRENCE 25323 CHIQUILLA LN STEVENSON RANCH CA 91381

PRINTS REQUESTED ☐ BY: ☐ COMPLETED ☐ BUS. NAME MCDONALDS

SEX OFFENSE VICTIM INFO? ☐ YES ☒ NO

DOMESTIC VIOLENCE ☐ NON-PERSONAL (GUN, KNIFE, ETC.) ☐ PERSONAL (HANDS, FEET, ETC.)

WILDER ☐ Major ☐ Minor ☐ None

☒ NON-CRIMINAL

CODE: V - VICTIM • W - WITNESS • I - INFORMANT • R - REPORTING PARTY • P - PARTY

CODE	#	of	LNAME	FNAME	MNAME	SEX	RACE	ETHNIC ORIGIN	DOB	Age
V	1	1	CARTER	DESMOND	NMN	M	B			
RES. ADDR.			CITY		ZIP	VICTIM OF OFFENSE(S) (CLASSIFICATION) #:		RES. PHONE (Area Code)		Day Phone
BUS. ADDR.			CITY		ZIP	ENGLISH SPEAKING <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		BUS. PHONE (Area Code)		Day Phone
RES. ADDR.			CITY		ZIP	VICTIM OF OFFENSE(S) (CLASSIFICATION) #:		RES. PHONE (Area Code)		Day Phone
BUS. ADDR.			CITY		ZIP	ENGLISH SPEAKING <input type="checkbox"/> YES <input type="checkbox"/> NO		BUS. PHONE (Area Code)		Day Phone

29310 THE OLD RD CASTAFC CA 91384 (661) 295-8805

CODE: S - SUSPECT • SJ - SUBJECT • M - PATIENT • SV - SUSPECT / VICTIM • SJ / V - SUBJECT / VICTIM

CODE	#	of	LNAME	FNAME	MNAME	SEX	RACE	ETHNIC ORIGIN	DOB	Age
S	1	1				M	W			30
RES. ADDR.			CITY		ZIP	DRIVER'S LICENSE (STATE & No.)		RES. PHONE (Area Code)		
BUS. ADDR.			CITY		ZIP	BUS. PHONE (Area Code)		WHERE DETAINED OR CITE #		
SEX			RACE		ETHNIC ORIGIN	HAIR	EYES	HGT.	WGT.	BOOKING #
CHARGE			AKA		MONIKER					

VEHICLE # 1 SUSPECT STATUS ☐ IMPOUNDED ☐ LICENSE (STATE & No.) CA 00 MAKE PONTIAC MODEL GRANDAM BODY TYPE HDR COLOR GRAY

REGISTERED OWNER RONALD TEEMAN IDENTIFYING FEATURES T/K DAMAGE LEFT REAR BUMPER ☐ YES ☒ NO

BY DEP. ROONEY, J. EMPLOYEE # [REDACTED] VACATION DATES V/A

STATION SCT UNIT / CAR # 65 SHIFT EM

VICTIM DESIRIOUS OF PROSECUTION: ☒ YES ☐ NO

HQ NOTIFICATION REQ. ☐ YES ☒ NO DEP. DATE / TIME

APPROVED SGT. M. WAGNER EMPLOYEE # [REDACTED] DATE / TIME 08/21/10 000

SPECIAL REQUEST DISTRIBUTION SCT-DB

PCD SUBMITTED: ☐ YES ☒ NO TT BY DATE TIME

DATE <b>08-20-10</b>	TIME RECEIVED <b>2235</b>	TAG # <b>381</b>	URN # <b>910-13715-0623-057</b>	PAGE <b>2</b> OF <b>4</b>
INPUT / CHECKED NCIC, CH, ETC. <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	EVIDENCE HELD: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	EVIDENCE ENTERED IN: PATROL _____ Lodger/Page# _____	NARCOTICS _____ SAFE _____ BY <b>ROONEY, J</b>	
EVIDENCE HELD:	<input type="checkbox"/> BLOOD <input type="checkbox"/> FOOTPRINTS <input type="checkbox"/> OTHER PRINTS <input type="checkbox"/> VEHICLE PARTS	<input type="checkbox"/> BULLET <input checked="" type="checkbox"/> FRAUD DOCUMENTS <input type="checkbox"/> PAINT <input type="checkbox"/> WEAPONS	<input type="checkbox"/> BULLET CASING <input type="checkbox"/> GSR <input type="checkbox"/> PHOTOGRAPHS <input checked="" type="checkbox"/> VIDEO FOOTAGE	<input type="checkbox"/> CHECKS <input type="checkbox"/> HAIR <input type="checkbox"/> RAPE KIT <input type="checkbox"/> CLOTHES <input type="checkbox"/> JEWELRY <input type="checkbox"/> RECEIPTS <input type="checkbox"/> CREDIT CARDS <input type="checkbox"/> MISCELLANEOUS <input type="checkbox"/> TOOLS <input type="checkbox"/> ELECTRONIC EQUIPMENT <input type="checkbox"/> MONEY <input type="checkbox"/> URINE <input type="checkbox"/> FINGERPRINTS <input type="checkbox"/> NARCOTICS <input type="checkbox"/> VEHICLE IMPOUNDED
PROPERTY S - STOLEN • R - RECOVERED • L - LOST • F - FOUND • E - EMBEZZLED • D - DAMAGED • EV - EVIDENCE CODE: _____ (Use all applicable Codes; for example, if property is both Stolen and Recovered, Code is S/R)				RELEASED TO
CODE	ITEM #	QUAN.	DESCRIPTION (Include kind of article, trade name, identifying numbers, physical description, material, color, condition, age and present market value)	SERIAL # VALUE
EV	1	1	PIECE OF PAPER WITH THE SUSPECT'S VEHICLE INFORMATION WRITTEN ON IT BY THE VICTIM	
EV	2	1	COMPUTER DISK CONTAINING VIDEO FOOTAGE OF THE INCIDENT	

PROPERTY			TYPE OF PROPERTY		
TYPE OF PROPERTY	STOLEN	RECOVERED		STOLEN	RECOVERED
CLOTHING/FURS	\$	\$	JEWELRY	\$	\$
CONSUMABLE GOODS	\$	\$	LIVESTOCK	\$	\$
CURRENCY/NOTES	\$	\$	LOCAL STOLEN VEHICLES	\$	\$
FIREARMS	\$	\$	MISCELLANEOUS	\$	\$
HOUSEHOLD GOODS	\$	\$	OFFICE EQUIPMENT	\$	\$
			TV/RADIO/STEREO	\$	\$

PURSUANT TO SECTION 293(a) OF THE CALIFORNIA PENAL CODE, YOU ARE INFORMED THAT YOUR NAME WILL BECOME A MATTER OF PUBLIC RECORD, UNLESS YOU REQUEST THAT IT REMAIN CONFIDENTIAL AND NOT BE A PUBLIC RECORD, PURSUANT TO SECTION 6254 OF THE GOVERNMENT CODE.

### SCREENING FACTORS

<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

YES NO

<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. GENERAL SUSPECT DESCRIPTION
8. GENERAL VEHICLE DESCRIPTION
9. UNIQUE M.O. OR PATTERN
10. SIGNIFICANT PHYSICAL EVIDENCE
11. TRACEABLE STOLEN PROPERTY
12. MULTIPLE WITNESSES



REPORT CONTINUATION NARRATIVE

URN 910-13715-0623-057

WE RESPONDED TO THE INDICATED LOCATION REGARDING A MAN WITH A GUN CALL (TAG 381).

WE CONTACTED THE VICTIM, AN OFF-DUTY LA COUNTY DEPUTY SHERIFF, WHO TOLD US THE FOLLOWING: HE WAS IN LINE AT MCDONALDS WHEN HE HEARD A CAR ALARM GO OFF. HE THOUGHT IT SOUNDED LIKE HIS ALARM, SO HE TURNED TOWARDS THE DOOR TO LOOK OUT THE WINDOW. A FEMALE ADULT WALKED IN THE DOOR AND SAID SOMEONE HAD JUST CRASHED INTO A CAR IN THE PARKING LOT. HE WENT OUTSIDE AND SAW THAT THE DRIVER'S SIDE REAR BUMPER HAD BEEN DAMAGED.

THE VICTIM SAW THE SUSPECT'S VEHICLE PARKED 30 FEET AWAY FROM HIS. HE CONTACTED THE SUSPECT AND BEGAN TO QUESTION HIM ABOUT THE ACCIDENT. THE VICTIM SAID THE SUSPECT SEEMED UNAWARE THAT HE HAD BEEN INVOLVED IN AN ACCIDENT AND WAS UNABLE TO ANSWER QUESTIONS ABOUT IT.

THE VICTIM WALKED BACK TO HIS CAR AND DROVE IT TO THE PARKING SPOT NEXT TO THE SUSPECT'S VEHICLE. THE SUSPECT GAVE THE VICTIM HIS REGISTRATION CARD SO HE COULD COPY THE INFORMATION (ED-1). AFTER THE VICTIM RETURNED THE CARD TO THE SUSPECT, THE SUSPECT GOT INTO HIS CAR AND ATTEMPTED TO LEAVE.

URN

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THE VICTIM PULLED HIS WEAPON FROM HIS FANNYPACK, IDENTIFIED HIMSELF AS A DEPUTY SHERIFF, AND TOLD THE SUSPECT TO STOP. THE SUSPECT SAID "FUCK YOU" AND CONTINUED TO BACK OUT OF THE PARKING SPOT. THE VICTIM ATTEMPTED TO REACH INTO THE VEHICLE TO TRY AND PUT IT IN PARK OR TURN IT OFF. THE SUSPECT SPED AWAY WITH THE VICTIM HANGING ONTO THE DRIVER'S SIDE DOOR DRAGGING HIM ABOUT 15 FEET. THE VICTIM WAS ABLE TO DESENGAGE HIMSELF FROM THE VEHICLE AND A DEPUTY INVOLVED SHOOTING OCCURED (FOR MORE INFORMATION SEE SUPPLEMENTAL REPORTS).

VIDEO FOOTAGE WAS OBTAINED FROM MCDONALDS BY DET. RUYTER, II [REDACTED]. THE FOOTAGE WAS COPIED INTO THE 2010 DIGITAL EVIDENCE FILE BY [REDACTED] AT [REDACTED]. THE FOOTAGE WAS COPIED TO COMPUTER DISK (EV-2) AND BOOKED INTO EVIDENCE.

THE SUSPECT'S VEHICLE INFORMATION WAS RAN THROUGH DMV VIA MDT (LIC# [REDACTED] NO. RONALD J. TEEMAN [REDACTED]). THE PAPER THE VICTIM WROTE THE SUSPECT'S VEHICLE INFORMATION ON WAS BOOKED INTO EVIDENCE AT SANTA CLARITA STATION. A COPY IS ATTACHED TO THIS REPORT.

910-13715-0623-057

RONALD J. TEE MAN

2000 PONTIAC

POLICY #

GREY

MON. 9:15 AM  
SPOKE MITCH  
CAME INTO OFFICE  
MON. AFTERNOON  
OFFICE

LOS ANGELES COUNTY SHERIFF DEPARTMENT  
CRIME ANALYSIS SUPPLEMENTAL FORM -- SUSPECT / SUBJECT INFORMATION

PAGE 1 of 2

URN 910-13715-0623-057

BY DEP ROONEY, J

SUSPECT # 1 NAME UNK

EMPLOYEE # [REDACTED]

SUSPECT # NAME

CLOTHING DESCRIPTION	
ITEM TYPE	DESCRIPTION
	UNK

ITEM TYPES  
CAP / HAT  
COAT / JACKET  
DRESS / SKIRT  
GLASSES  
JEWELRY  
PANTS  
SHIRT / BLOUSE  
SHOES  
SHORTS  
OTHER

CLOTHING DESCRIPTION	
ITEM TYPE	DESCRIPTION

L	R	BODY PART	SCARS / MARKS / TATTOOS / ODDITIES
			UNK

L	R	BODY PART	SCARS / MARKS / TATTOOS / ODDITIES

☐ SUSPECTED GANG MEMBER NAME OF GANG

☐ SUSPECTED GANG MEMBER NAME OF GANG

HAIR LENGTH

☐ COLLAR  
☐ SHORT  
☐ MEDIUM  
☐ LONG

HAIR TYPE

☐ BALD  
☐ RECEDING  
☐ THICK  
☐ THINNING  
☐ WIG

HAIR STYLE

☐ AFRO / NATURAL  
☐ BRAIDED / DREADLOCKS  
☐ BUSHY  
☐ BUTCH  
☐ COMBED BACK  
☐ CURLERS  
☐ CURLY  
☐ FLAT TOP  
☐ GREASY  
☐ JHERI CURL  
☐ MILITARY  
☐ NETS  
☐ PONY TAIL  
☐ PROCESSED  
☐ PUNK  
☐ SHAVED  
☐ STRAIGHT  
☐ WAVY

COMPLEXION

☐ ACNE / POCKED  
☐ ALBINO  
☐ DARK  
☐ FRECKLED  
☐ LIGHT / FAIR  
☐ MEDIUM  
☐ PALE  
☐ RUDDY  
☐ SALL OW  
☐ TANNED  
☐ WEATHERED  
☐ WRINKLED

FACIAL HAIR

☐ BEARD  
☐ CLEAN SHAVEN  
☐ FUZZ  
☐ GOATEE  
☐ LOWER LIP  
☐ MOUSTACHE  
☐ NOE BURNS  
☐ UNSHAVEN

TEETH

☐ BROKEN / CHIPPED  
☐ BRACES  
☐ BUCK  
☐ CROOKED  
☐ DECAYED  
☐ FALSE  
☐ GAP / SPACE  
☐ GOLD CAP  
☐ JEWELLED  
☐ MISSING  
☐ NONE  
☐ SILVER CAP  
☐ STAINED

SPEECH

☐ ACCENT  
☐ DISGUISE  
☐ LISPS  
☐ MUMBLES  
☐ RAPID  
☐ RASPY  
☐ SLOW  
☐ SLURRED  
☐ STUTTER

HANDED

☐ LEFT  
☐ RIGHT  
☐ BOTH

WEAPON

FIREARM

Style:  
☐ MULTIPLE  
☐ BB / PELLET  
☐ HANDGUN  
☐ RIFLE  
☐ SAWED-OFF  
☐ SHOTGUN  
☐ SIMULATED  
☐ ZIP GUN

Action:

☐ DERRINGER  
☐ FULLY AUTO  
☐ PUMP  
☐ REVOLVER  
☐ SEMI AUTO  
☐ SINGLE SHOT

Barrel Type:

☐ SINGLE BARREL  
☐ DOUBLE BARREL  
☐ THREE BARREL  
☐ 4 OR MORE BARREL

Color / Finish:

☐ BLUE STEEL  
☐ CHROME / NICREL  
☐ DULL BLACK  
☐ RUSTED  
☐ STAINLESS STEEL

Grip / Stock:

☐ ALTERED  
☐ BONE / PEARL / IVORY  
☐ COLLAPSES / FOLDS  
☐ METAL / PLASTIC  
☐ NO GRIP  
☐ RUBBER / VINYL  
☐ TAPED  
☐ THUMB HOLE  
☐ WOOD  
☐ GANCE  
☐ CALIBER

KNIFE

Style:

☐ MULTIPLE  
☐ BUCK  
☐ BUTCHER / KITCHEN  
☐ DARK / DAGGER / STILETTO  
☐ HUNTING / BOWIE  
☐ SIMULATED  
☐ SWITCHBLADE  
☐ TDI

Blade:

☐ FIXED  
☐ FOLDING

CHEMICAL

☐ CAUSTIC  
☐ INFECTIOUS  
☐ MACE  
☐ PEPPER SPRAY  
☐ SIMULATED  
☐ TEARGAS  
☐ TOXIC

BLUNT INSTRUMENT

☐ BASEBALL BAT  
☐ BILLY CLUB  
☐ BRASS KNUCKLES  
☐ BRICK / ROCK / BOTTLE  
☐ CLUB / BLUDGEON  
☐ HAMMER / TOOL  
☐ MUNCHAKOS  
☐ TIRE ROD

CSM / STAB

☐ BAYONET / SWORD  
☐ BOTTLE / GLASS  
☐ ICE PICK  
☐ KACHETE  
☐ RAZOR  
☐ SCREWDRIVER  
☐ THROWING STARS

EXPLOSIVE / INCENDIARY

☐ FIREWORKS  
☐ MOLTDOV COCKTAIL

OTHER WEAPON

☐ BODILY FORCE  
☐ LIGATURE  
☐ SHOT  
☐ SYRINGE  
☐ TASER / STUN GUN  
☒ VEHICLE

RELATIONSHIP OF VICTIM TO SUSPECT:

VS VS ACQUAINTANCE  
VS VS BABYSITTER  
(PERSONS WATCHED / BABY)  
VS VS BOYFRIEND / GIRLFRIEND  
VS VS CHILD  
VS VS CHILD OF BOYFRIEND  
OR GIRLFRIEND  
VS VS COMMON LAW SPOUSE  
VS VS EMPLOYER  
VS VS EMPLOYER  
VS VS EX - SPOUSE  
VS VS FR END  
VS VS GRANDCHILD  
VS VS GRANDPARENT  
VS VS HOMOSEXUAL RELATIONSHIP  
VS VS IN LAW  
VS VS NEIGHBOR  
VS VS OTHER FAMILY MEMBER  
VS VS OTHERWISE KNOWN  
VS VS PARENT  
VS VS RELATIONSHIP UNKNOWN  
VS VS SIBLING (BROTHER OR SISTER)  
VS VS SPOUSE  
VS VS STEPCCHILD  
VS VS STEPPARENT  
VS VS STEPSIBLING  
(STEPBROTHER OR STEPSISTER)  
VS VS VICTIM WAS OFFENDER  
VS VS VICTIM WAS STRANGER

# LOS ANGELES COUNTY SHERIFF'S DEPARTMENT CRIME ANALYSIS SUPPLEMENTAL FORM -- M. O. FACTORS

URN 910-13715-0623-057

PAGE 1 OF 1

AREA	TARGET	NON - RESIDENTIAL	METHOD OF ENTRY	TOOLS USED	SUSPECT PRETENDED TO BE
AIRPORT					
BEACH / OCEAN					
COMMERCIAL					
CONSTRUCTION SITE					
DESERT					
DRIVEWAY					
FREEWAY / HIGHWAY					
GOLF COURSE					
HARBOR					
INDUSTRIAL / WHOLESALE					
MOUNTAINS / FOOTHILLS					
PARK					
RESIDENTIAL					
RIVER					
RURAL / ISOLATED					
SCHOOL GROUNDS					
SHOPPING CENTER					
SIDEWALK					
STREET / ALLEY					
TRAIN RIGHT-OF-WAY / TRACKS					
VACANT LOT / OPEN FIELD					
WATER / LAKE					
<b>STRUCTURE RESIDENTIAL</b>					
APARTMENT					
CONDOMINIUM / TOWNHOUSE					
CONVALESCENT HOSPITAL					
DUPLEX					
MOBILE HOME					
SINGLE FAMILY					
VACANT					
VESSEL, BOAT					
<b>STRUCTURE NON - RESIDENTIAL</b>					
BANK / FINANCE					
BAR					
BUSINESS OFFICE					
CARGO CONTAINER					
CATERING TRUCK					
ENTERTAINMENT / RECREATION					
FAST FOOD					
GAS STATION					
HOSPITAL					
HOTEL / MOTEL					
INDUSTRIAL / MANUFACTURING WAREHOUSE					
JAIL / PRISON					
JEWELRY COIN / PAWN					
LIQUOR					
MARKET					
MINI MART					
NURSING FACILITY					
PARKING LOT, STRUCTURE					
PASSENGER STATION / PLATFORM (PAX)					
PHARMACY / MEDICAL / DENTAL					
PUBLIC BUILDING					
RELIGIOUS BUILDING					
RESTAURANT					
RETAIL GOODS					
RETAIL SERVICE, REPAIR					
SCHOOL					
STORAGE, RENTAL					
TRAIN - FREIGHT					
TRAIN - PASSENGER - LIGHT RAIL					
TRAIN - PASSENGER - HEAVY RAIL					
VACANT					
VEHICLE COMMERCIAL					
VESSEL, BOAT					
VIDEO / MUSIC					
<b>TARGET RESIDENTIAL</b>					
ATTIC					
BEDROOM					
DINING ROOM					
GARAGE / PARKING AREA					
HALLWAY					
KITCHEN					
LAUNDRY ROOM					
LIVING FAMILY ROOM					
MAIL BOX					
PATIO / PORCH					
SAFE / BOX					
STORAGE SHED					
STABLES TACK ROOM					
VEHICLE					
<b>POINT OF ENTRY / EXIT</b>					
IN	EX				
		FRONT			
		REAR			
		SIDE			
		GROUND LEVEL			
		UPPER LEVEL			
		ADJACENT BUILDING			
		BASEMENT			
		DOOR / SCREEN			
		DUCT / VENT			
		FENCE / GATE			
		REPLACE			
		FLOOR			
		GARAGE			
		GLASS DOOR			
		HOUSE BEING FUMIGATED			
		LOUVRE			
		MAIL SLOT			
		PET DOOR			
		ROOF, SKYLIGHT			
		SLIDING GLASS DOOR			
		WALL			
		WINDOW / SCREEN			
<b>VEHICLE ENTRY / EXIT</b>					
IN	EX				
		CAMPER / SHELL / MOTORHOME			
		CONVERTIBLE			
		DOOR			
		DRIVER SIDE			
		HOOD			
		PASSENGER SIDE			
		SUNROOF			
		TRUCK BED			
		TRUNK			
		WINDOW			
		WINDSHIELD			
<b>METHOD OF ENTRY</b>					
		ATTEMPT ONLY			
		BODILY FORCE			
		CUT			
		HID IN BUILDING			
		KICKED			
		KNOB TWIST			
		LET IN / RUSE			
		LOCK BOX			
		LOCK CUT / BROKEN			
		LOCK PUNCHED			
		LOCK SLP / KEY / PICK			
		NO FORCE			
		OPEN FOR BUSINESS			
		OPEN / UNLOCKED			
		PHONE			
		PRIED			
		REMOVED			
		SMASHED			
		TUNNELED			
		UNBOLTED GATE			
<b>SECURITY SYSTEM</b>					
		NONE			
		AUDIBLE ALARM			
		CAMERA			
		CRIME WATCH			
		DOG			
		FENCE / BARS			
		GUARD SERVICE			
		OPERATION ID			
		OUTSIDE LIGHTING			
		SECURITY SIGN / STICKER			
		SILENT ALARM			
		SPECIAL LOCKS / DEADBOLT			
		WINDOW BARS			
<b>SUSPECT ACTIONS</b>					
		ATE / DRANK ON PREMISES			
		CASED LOCATION			
		COSTUME / DISGUISE WORN			
		DEFECATED / URINATED			
		DEMAND NOTE USED			
		DEMANDED DRUGS / MONEY, ETC			
		DISABLED PHONE			
		DISABLED POWER			
		DISABLED SECURITY SYSTEM			
		DISABLED VEHICLE			
		EXCESSIVE FORCE			
		FIRED WEAPON			
		FONDLED SELF			
		GRAFFITI			
		HID IN BUILDING			
		IGNITION PUNCHED			
		JUMPED THE COUNTER			
		KNEW LOCATION OF HIDDEN CASH			
		MASK WORN			
		MASTERBATED, EJACULATED			
		PHOTOGRAPHED, VIDEOTAPED			
		PILLOWCASE TAKEN / USED			
		POLICE SCANNER USED			
		RANSACKED			
		RECORDED / LOGGED EVENTS			
		RIPPED / CUT CLOTHING			
		SELECTIVE PROPERTY TAKEN			
		SMOKED			
		TAKEOVER			
		TOOK CONCEALABLES			
		USED MULTIPLE WEAPONS			
		VEHICLE USED TO REMOVE PROPERTY			
		VANDALIZED			
		VICTIM'S NAME USED			
		VICTIM'S TOOLS USED			
		WASHED CLOTHING / BEDDING			
		WIPED SCENE AFTER CRIME			
<b>SUSPECT WAS / HAD</b>					
		ALCOHOL ON BREATH			
		ANGRY			
		APOLOGETIC			
		BAD BREATH			
		BODY ODOR, UNUSUAL ODOR			
		GANG - RELATED			
		HOMELESS			
		INTIMIDATED / COERCED			
		NEVER SPOKE / QUIET			
		POLITE / KIND			
		PROFANE			
		QUOTES, UNUSUAL			
		RAGE			
		TRUST VIOLATION			
		UNDER INFLUENCE			
<b>SUSPECT PRETENDED TO BE</b>					
		BUSINESS PERSON			
		CONVERSATION / BEFRIENDED			
		CUSTOMER			
		DELIVERY PERSON			
		FAMILY MEMBER			
		FIND MONEY			
		HANDICAPPED			
		HOMELESS			
		LEND ASSISTANCE			
		NEED ASSISTANCE OR EMERGENCY			
		NEED TOILET / PHONE / WATER			
		OFFERED GOODS / SERVICES			
		POLICE / SECURITY			
		POSITION OF TRUST			
		REPAIR PERSON			
		SALES PERSON			
		SEEK EMPLOYMENT			
		SOLICIT DONATIONS			
		UTILITY EMPLOYEE			
<b>VICTIM WAS</b>					
		ASKED TO POSE / MODEL			
		BLINDFOLDED			
		BOUND / GAGGED			
		BURNED			
		CUT / STABBED			
		DISTRACTED			
		DRUGGED / SEDATED			
		EXPLOITED			
		FACE COVERED			
		FOLLOWED			
		FONDLED			
		FORCED TO DISROBE			
		FORCED TO FONDLE SUSPECT			
		FORCED TO LIE ON FLOOR			
		FORCED TO MASTURBATE			
		FORCED TO MOVE			
		FORCED TO ORALLY COPULATE SUSPECT			
		GANG RELATED			
		HANDCUFFED			
		HOMELESS			
		INJURED / HIT			
		LOCKED IN			
		MADE TO COUNT			
		PINCHED			
		PISTOL WHIPPED			
		SHOT			
		SLAPPED			
		THREATENED			
		TORTURED / MUTILATED			
<b>BIAS / MOTIVATED INCIDENT</b>					
<b>RACIAL</b>					
		ANTI WHITE			
		ANTI BLACK			
		ANTI - AMERICAN INDIAN / ALASKAN NATIVE			
		ANTI ASIAN / PACIFIC ISLANDER			
		ANTI MULTIRACIAL GROUP			
<b>RELIGIOUS</b>					
		ANTI - JEWISH			
		ANTI CATHOLIC			
		ANTI PROTESTANT			
		ANTI ISLAMIC (MUSLIM)			
		ANTI - OTHER RELIGION			
		ANTI MULTIRELIGIOUS GROUP			
		ANTI ATHEISM / AGNOSTICISM			
<b>ETHNICITY / NATIONAL ORIGIN</b>					
		ANTI - HISPANIC			
		ANTI OTHER ETHNICITY / NATIONAL ORIGIN			
<b>SEXUAL</b>					
		ANTI - MALE HOMOSEXUAL (GAY)			
		ANTI FEMALE HOMOSEXUAL (LESBIAN)			
		ANTI HOMOSEXUAL (GAYS & LESBIANS)			
		ANTI HETEROSEXUAL			
		ANTI BISEXUAL			
<b>GENDER</b>					
		ANTI MALE			
		ANTI FEMALE			
		ANTI - TRANSGENDER			
<b>DISABILITY</b>					
		ANTI MENTAL DISABILITY			
		ANTI PHYSICAL DISABILITY			

**COUNTY OF LOS ANGELES-SHERIFF'S DEPARTMENT-SUPPLEMENTARY REPORT****DATE:** 08-21-10**FILE:** 910-13715-0623-057**C:** Assault with a deadly weapon, 245(c) PC / F / 057**ACTION:** Active, Additional  
Information,  
Interview of victim,  
location and  
interview of suspect**V:** Carter, Desmond MB. [REDACTED]**S:** Teeman, Ronald MW/01-30-61**NARRATIVE**

I was called by Sgt. Anderson ([REDACTED]) at about 0310 hours on 08-21-10 and asked to respond to Santa Clarita Station to investigate an assault with a deadly weapon on a peace officer which also involved a deputy involved shooting.

I arrived at Santa Clarita Station at about 0325 hours and was asked by Sgt. Stanley ([REDACTED]) to respond to the crime scene, located at 25323 Chiquella Lane in Stevenson Ranch. Sgt. Stanley advised me a second detective would be needed based on his evaluation of the situation and asked me to locate an additional detective to assist me in the investigation. I contacted Det. Dorman ([REDACTED]) who responded to Santa Clarita Station at about 0350 hours.

Upon my arrival at the crime scene I found the field deputies finishing their investigation and breaking down the crime scene. I was given a synopsis of the events that took place by Lt. Stillwell (230321).

I contacted Dep. Boden ([REDACTED]) of Palmdale Station Gang Enforcement Team (GET) who was at the scene with several members of his team. He advised me, prior to my arrival, he contacted resources his team had in the US Marshall's office to obtain a federal court order to locate the suspect via his cellular phone. He told me his team would coordinate with the US Marshall's office and be my liaison to them. Dep. Boden told me, utilizing Department resources, he and his team located an old friend of the suspect's "[REDACTED]". They contacted [REDACTED] who told them he saw the suspect at Los Toros bar in Chatsworth at about 2100 hours. Prior to seeing him in the bar [REDACTED] had not seen the suspect for about 2 years. [REDACTED] said he went up to the suspect to talk to him and the suspect was "hammered" (indicating he was extremely intoxicated) [REDACTED] told Dep. Boden the suspect was belligerent towards him so he ended the conversation and the suspect left the bar.

**APPROVED:****BY:** [REDACTED]**ASSIGNED:** SCT/DB

806B7

**SECRETARY:** \_\_\_\_\_**DATE:** \_\_\_\_\_ **TIME:** \_\_\_\_\_

█████ provided Dep. Boden with directions to the suspect's █████ house in Santa Clarita, he believed she would know the suspect's whereabouts better than anyone else. Dep. Boden followed the directions and located the suspect's █████ house. He spoke with █████ who identified herself as Ronald Teeman's █████. She told him she had not seen her █████ in a couple weeks. She provided Dep. Boden with her █████ cellular phone number (█████). See supplemental report by Dep. Boden under this file number for a more detailed account of his actions and findings.

I responded to Santa Clarita Station where Det. Dorman and I met with Lt. Ault (█████) of Internal Affairs Bureau (IAB). She advised us the victim was not willing to discuss the facts of the case with us. She said he would answer limited public safety questions only. She advised us of the questions we could ask the victim. We told her we would like to show the victim a photographic line up including the perceived suspect to obtain a positive identification of the suspect. She advised us we could show him the line up.

Prior to speaking to the victim we reviewed video footage of the incident.

Det. Dorman and I contacted the victim in the Watch Commander's office at Santa Clarita Station. During the interview the victim was seated in the Watch Commander's chair and we were seated in the chairs along the east wall. All the doors to the office were closed. The interview was audio recorded with the victim's knowledge. A copy of the interview will remain in the investigators file, the following is a synopsis of the interview

I asked the victim in what direction did he fire his rounds. He told me he fired them east towards the tire store. I asked him if he knows of anyone who was injured and what their location might be. He told me he does not know if anyone was injured. I asked him if there were any outstanding suspects. He told me there was one, the driver of the other vehicle. I asked him to describe the suspect. He said he was a male white in his 30's or 40's, 5' 09" to 6' 00", 180 lbs to 190 lbs, with straight hair, sprinkled with grey. He did not remember the suspect having facial hair. The suspect was wearing a white pinstripe long sleeve button-down shirt and dark jeans. I asked him what the suspect's direction of travel was. He said the suspect made a left turn onto Chiquella Lane from the McDonald's parking lot and drove out of sight. I asked him how long the suspect has been gone. He estimated the suspect had been gone about 6 hours and 50 minutes. I asked him what crime(s) the suspect was wanted for. He said the suspect was wanted for being under the influence of a controlled substance (drugs or medication). I specifically asked him if alcohol could be something he was under the influence of. He said he didn't smell any so he couldn't say, he noted based on the suspect's train of thought he didn't seem to be normal. He went on to say the suspect was also wanted for hit and run and assault with a deadly weapon on him (a peace officer) with a vehicle. I asked the victim what weapons the suspect was armed with. He said the only weapon he knew of was the vehicle used. I asked the victim if there is any evidence that needed to be protected and where it was located. He said the only evidence he knew of were the spent rounds and as far as he knew they were in the trunk of the suspect's car.

I conducted a follow up question to the suspect description by asking the victim to look at a photographic line up. The victim agreed to look at the line up. Prior to showing him the line up I had him read the photographic line up admonition and initial that he read and understood the admonition. The victim initialed the admonition and looked at the photographic line up (the presumed suspect was in the 4<sup>th</sup> position). He said he ruled out numbers 1,2,3,5 & 6 immediately. He said he was 80% sure number 4 was the suspect, indicating the suspect had more grey hair and was thinner. I inadvertently asked the victim to initial that he couldn't make an identification. I realized he did identify the suspect and told him I placed an "X" over his initials and initialed my "X". I then asked him to initial that he has identified the person in the 4<sup>th</sup> position as the suspect in the crime. The victim signed the admonition form. (A copy of the admonition and line up will be attached to this report and the original will remain in the investigators file). This concluded our interview with the victim.

Based on the fact the suspect was outstanding, might have been shot and was possibly in need of medical attention Det. Dorman and I focused our immediate efforts to looking for the suspect. Through Departmental resources we located several family members, associates and previous addresses of the suspect. We asked Dep. Boden and his team to check the area of the addresses we located for the suspect's vehicle. All their efforts met with negative results. Several door knocks by patrol deputies at the suspect's residence [REDACTED] met with negative results. Dep. Boden and his team stood watch at the suspect's home in case he came home.

Det. Dorman and I began to prioritize the list of addresses and contacts to begin making contact with them to see if they have heard from or know the whereabouts of the suspect. We drove to [REDACTED] in Saugus. We contacted [REDACTED] (FW/A). She told us she is the [REDACTED] of Ronald Teeman. She has not seen or heard from him in years but she knows his [REDACTED] talks to him a lot.

We drove to [REDACTED] in Saugus and contacted [REDACTED] (FW/[REDACTED]). She said she knows Ronald Teeman but hasn't spoke to him in years. She told us he has a relative named [REDACTED] who lives in an apartment complex near McBean Parkway and Arroyo Park in Valencia, who might know more about where Ronald is.

We drove to [REDACTED] in Valencia and contacted [REDACTED] (FW/A) who told us she is related to Ronald Teeman but doesn't associate with him because he drinks too much. She told us [REDACTED] is his "drinking buddy" and would best know where he was. She also said she believed [REDACTED] would lie to protect Ronald.

Det. Dorman and I decided to go to [REDACTED] house to further question her about any knowledge she might have as to the whereabouts of Ronald Teeman. Prior to arriving I received a phone call from Sgt. Rivera ([REDACTED]) from Operation Safe Streets (OSS) Gang Surveillance Unit (GSU). He told me they received information the suspect made or received a phone call which came off the cellular tower located at McBean Parkway and the 5 freeway at 0130 hours on 08-21-10. This tower is located extremely close to [REDACTED] residence. We did not know the range of the tower.



While we were driving to [REDACTED] residence I received a phone call from Det. McPheeters ([REDACTED]) stating [REDACTED] was on the phone with Sgt. Peacock ([REDACTED]). Det. McPheeters told me [REDACTED] was indicating she believed Ronald was at his residence but would not elaborate as to why she believed this.

Det. Dorman and I responded to the suspect's residence along with Det. McPheeters, Deputy Coe ([REDACTED]) and Sgt. Wright ([REDACTED]). Prior to going to the suspect's door I contacted the leasing office for the apartment building and obtained a key to the suspect's door in case we determined he was inside, incapacitated and in need of medical attention.

We approached the suspect's door at about 1000 hours and I knocked on the door. The suspect answered the door, saw us and said, "I was going to come see you, I guess he really was a cop". We detained the suspect and conducted a safety sweep of his residence. Once the residence was secure Det. McPheeters and I spoke to him alone in his living room. He told us he was in a car accident and someone shot at him at last night at the McDonald's on Lyons.

Ronald told us he has been home for hours. We asked him if he ever heard anyone knocking on his door. He said he hadn't but he was a deep sleeper. He said he had just woken up and was going to look for his car and then come to the station regarding the incident at McDonald's. We told him we too wanted to find his car and to talk to him about the incident at McDonald's. We asked him if he would like us to drive him around to look for his car and then drive him to the station to talk to him. He said he would be happy to come with us.

Det. Dorman and I drove Ronald around for about 90 minutes looking for his car but were unable to find it. We told him we would have other deputies continue to look for his car and asked if it would be alright for us to go to the station to begin talking about the incident. He said that would be fine.

We drove to Santa Clarita Station and walked with Ronald to interview room number 26 at about 1156 hours where Det. McPheeters and I spoke to him. I advised Ronald I was going to tape record our conversation and he agreed. I told him the door to the interview room was open and he was not under arrest. I told him he was free to leave whenever he wanted to. Ronald was the person seated closest to the door. His residence is located about [REDACTED] from Santa Clarita Station.

The following is a synopsis of my interview with Ronald Teeman, a copy of the recording of the entire interview will be maintained in the investigators file.

Ronald told us he was coming home and stopped at McDonald's to get some food. While in the parking lot he hit another vehicle. He described the accident as a fender bender. He said he made contact with the other party and began exchanging information. He gave the other party his insurance card, which was all he thought he had to provide because it contained his name, insurance policy information and vehicle information. He said that the other party (referred to here on out as victim) told him he was a "cop" and showed him a gun. He said he was never shown a badge. The victim accused him of drinking and told him he was going to call the cops. The victim never appeared to make an effort to call anyone. Ronald said he previously had been robbed at gunpoint (which was reported to LAPD) and was scared because he never was presented with a badge. He told me he has family in Law Enforcement and was under the impression one should be shown a badge with a gun when a police officer confronts you. Ronald said he figured the victim had his insurance information and was scared so he got into his car and left. He said the victim tried to pull him out of his car but

he was able to close and secure the door with the window up and drive away. As he was driving away he heard loud sounds resembling gun fire but couldn't believe someone would shoot at him over a fender bender. His tires went flat at which point he thought he may have been shot at so he parked his car, found the paseo system and ran home.

Ronald said, once home, he drank some wine to calm his nerves and went to sleep. He was hoping to wake up in the morning and find out this all never happened. After several questions regarding why he left, he conceded an additional reason was that he had drank one beer at Los Toros bar at about 2100 hours. He said he didn't know if his blood alcohol level would exceed the legal limit or not. He told us that was not the only factor to him leaving but it was one factor.

Ronald told us the victim never tried to grab the keys to his car or the gear shifter. The victim only grabbed him. He also told us he was unaware if the victim was in his car when the accident occurred. The victim did not remember passing a DUI checkpoint as he left the area.

We asked Ronald about the beer he had at Los Toros. He told us he was meeting [REDACTED] at the restaurant/bar. He arrived at 2100 hours and had beer while he waited for [REDACTED]. When [REDACTED] arrived he found the wait too long so he left at about 2120 hours. He did not make a reservation because he knows [REDACTED] eats there every Friday and Saturday and figured [REDACTED] already had a reservation. He did not have a receipt for the drink.

Ronald told us his [REDACTED] [REDACTED] emailed him telling him we were looking for him and that was why he was going to come to the station to see us. We asked him if he called or was called by anyone last night. He said neither occurred. We told him we know his cellular phone made or received a call around 0130 hours this morning. He said he may have gotten a call from his [REDACTED] when he was asleep and didn't know it because that was about the time she sent her email.

This concluded our interview with Ronald. We offered to drive him home but he asked to walk. He had previously allowed us to take his car keys with us from his residence incase we found the car. He agreed to let us keep the car keys and we gave him all the other keys prior to him leaving.

I asked Dep. Coe to begin a grid search for Ronald's car. I was notified at about 1600 hours that the car was located near the intersection of 16<sup>th</sup> street and Newhall avenue in Newhall. The vehicle was impounded as evidence. See supplemental report by Det. McPheeters for further information regarding the recovery of the vehicle.

I notified Sgt. Roberts ([REDACTED]) of IAB of my locating, interviewing and releasing Ronald Teeman.

Det. Dorman contacted Los Toro's bar and found they only have video surveillance of the parking lot. Det. McPheeters will attempt to obtain a copy of the footage at a later date as it was not available at the time of this report.

**COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTAL REPORT**

**DATE:** OCTOBER 6, 2010

**FILE NO.:** 910-00043-2003-441

**C:** ASSAULT WITH A DEADLY WEAPON -  
FIREARM - 245(a)(2) P.C.

**ACTION:** ACTIVE / ADDITIONAL  
INFORMATION

**D:** AUGUST 20, 2010, 2230 HOURS

**L:** 25323 CHIQUELLA LANE  
STEVENSON RANCH, CALIFORNIA 91381

**S:** CARTER, DESMOND MB/34  
DEPUTY SHERIFF # [REDACTED]  
SOUTH FACILITY  
CUSTODY OPERATIONS DIVISION

\*\*\*\*\*

**EVIDENCE HELD**

**Book 3 / Page 47**

**Item #1** Pistol, Beretta 92FS, semi-automatic, 9mm, Serial #BER [REDACTED]  
loaded with one magazine containing 11 9mm cartridges.

I was assigned this case on August 23, 2010. The case involved an incident on 08-20-10 at approximately 2230 hours. Deputy Desmond Carter, who was off duty, was on his way to work, when he stopped at McDonald's restaurant located at 25323 Chiquella Lane in Stevenson Ranch. While Deputy Carter was inside the restaurant, his parked car was struck by another vehicle, driven by Ronald Teeman, in the parking lot. Following the collision, the parties talked and exchanged some type of information. When Mr. Teeman attempted to leave, Deputy Carter ordered him to remain. The resulting altercation led to Mr. Teeman fleeing the scene in his vehicle and Deputy Carter firing several rounds at the fleeing party, striking Mr. Teeman's car several times.

The case file was received from Santa Clarita Sheriff's Station and included the following:

An Incident Report under file number 910-13/15-0623-057 which included initial observations by Santa Clarita Unit 65 EM's (Deputies Rooney # [REDACTED] and Elsee # [REDACTED]), collection of evidence (security video and information on Mr. Teeman), and statements made to them by Deputy Carter (**Exhibit A**).

A supplemental report written by Santa Clarita Sheriff's Station Detective [REDACTED] # [REDACTED] which included his investigation, statements made by Deputy Carter, a photographic line up, identification and interview of Mr. Teeman (**Exhibit B**).

A supplemental report written by Santa Clarita Sheriff's Station Deputy Elsee # [REDACTED] which included statements made by Deputy Carter (**Exhibit C**).

A supplemental report written by Santa Clarita Sheriff's Station Detective Mike McPheeters # [REDACTED] which included locating and photographing Mr. Teeman's car and impounding it as evidence (**Exhibit D**).

Digital recordings of interviews with Deputy Carter and Ronald Teeman.

I reviewed the documents and obtained a copy of the McDonald's security video tapes from Santa Clarita Sheriff's Station Detective Bureau Lieutenant Stephen Low # [REDACTED]

I obtained a supplemental report from Gang Enforcement Team Deputy Boden # [REDACTED] which included his investigation and attempts to locate Mr. Teeman and statements made by [REDACTED] (**Exhibit E**).

I viewed McDonald's video security tapes which recorded parts of the incident from three different vantage points. When combined the tapes show almost a complete record of the incident. I saw there were points where the recording stopped for short periods of time creating minor time gaps. I consulted with the Los Angeles County Sheriff's Department Commercial Crimes Bureau - Technical Operations Detail who viewed the tape and believed that the McDonald's security system appeared to be motion activated creating the gaps. The following is a time line utilizing the three different camera angles:

<b>TIME</b> (approximate)	<b>CAM 24</b> <i>covers street entrance and portion of parking lot</i>	<b>CAM 25</b> <i>covers street entrance and middle section of parking lot</i>	<b>CAM 26</b> <i>covers drive thru and upper parking lot</i>
22:10.45	Mr. Teeman's car enters McDonald's parking lot.	Mr. Teeman's car enters McDonald's parking lot.	
22:11.15	Mr. Teeman's car backs up and collides with Deputy Carter's parked car.	Mr. Teeman's car backs up and collides with Deputy Carter's parked car.	
22:11.17	Mr. Teeman's car pulls forward and stops in parking aisle. Deputy Carter's car alarm activates (flashing lights).	Mr. Teeman's car pulls forward and stops in parking aisle. Deputy Carter's car alarm activates (flashing lights).	
22:11.30	Mr. Teeman's car travels forward to upper parking lot	Mr. Teeman's car travels forward to upper parking lot	

22:11.50	Deputy Carter exits McDonald's and walks into parking lot	Deputy Carter exits McDonald's and walks into parking lot	
22:12.6		Deputy Carter checks his car and then walks to upper parking lot.	
22:12.8			Mr. Teeman parks his car in upper parking lot
22:12.16	Deputy Carter walks to Mr. Teeman's parked car		Deputy Carter walks to Mr. Teeman's parked car
22:12.47			Deputy Carter stands at driver's door of Mr. Teeman's car Mr. Teeman exits his car
22:12.54			Deputy Carter and Mr Teeman appear to be talking in the parking lot
22:13.1			Mr Teeman enters the driver's side of his car.
22:13.10			Deputy Carter walks from upper parking back toward his car
22:13.20		Deputy Carter walks from upper parking lot and returns to his vehicle.	
22:13.57		Deputy Carter enters his car, backs up and drives toward upper parking lot.	
22:14.10			Deputy Carter drives his car up next to Mr Teeman's car and parks
22:15.51			Mr. Teeman and Deputy Carter appear to have a conversation next to the right rear fender of Deputy Carter's car.
22:17.5			Mr. Teeman walks back to his car and enters the driver's side door

OCTOBER 6, 2010

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22:18.20			Mr. Teeman and Deputy Carter walk to the left rear fender of Mr. Teeman's car and appear to have a conversation.
22:20.47			Mr. Teeman backs his car out of the parking space with Deputy Carter standing at the driver's window.
22:20.50	Mr. Teeman backs his car out of the parking space		
22:20.58		White van enters McDonald's parking lot	
22:20.1	Mr. Teeman's car drives toward entrance to parking lot with Deputy Carter at driver's side window. After passing drive thru entrance, Deputy Carter stops and shoots at Mr. Teeman's fleeing car.		Mr. Teeman begins to drive forward with Deputy Carter moving along side at the driver's side window.
22:21.5		Mr. Teeman's car drives toward entrance to parking lot with Deputy Carter at driver's side window. After passing drive thru entrance, Deputy Carter stops and shoots at Mr. Teeman's fleeing car	
22:21.17	Deputy Carter runs back to his car.		

On 08-25-10, at 0935 hours, Sergeant Tombol # [REDACTED] and I interviewed **RONALD TEEMAN**, MW/49, at his apartment in Santa Clarita. The interview was digitally audio recorded and the following is a summary.

I explained to Mr. Teeman that we were from the Sheriff's Department Internal Criminal Investigations Bureau (ICIB) and were looking into the actions of our personnel as it related to the officer involved shooting. I asked Mr. Teeman to explain what happened the day of the incident, starting with his actions that afternoon.

Mr. Teeman said he met and had lunch (chicken kabob) with a friend in Burbank, because he was trying to become a vendor to the Disney company. After lunch, he went back to his apartment and wrote letters and looked up information that he needed to send to his friend.

Mr. Teeman said he had an old roommate, [REDACTED] that he wanted to reconnect with and possibly do some business (related to the Disney company). He knew that Mr. [REDACTED] liked to go to Los Toros Bar, located in Chatsworth. Mr. Teeman said he went to the bar hoping to meet with him. He said he arrived at the bar at approximately 2115 hours and it was a "good twenty minutes" before he saw Mr. [REDACTED]. During that time he had one or two beers. Mr. Teeman said Mr. [REDACTED] did not want to "have anything to do with him" so he left the bar. Mr. Teeman stated he was at the bar approximately 20 minutes.

Later in the interview, Mr. Teeman said he did not have any alcoholic beverages before going to the bar and was not under the influence of any drugs.

Mr. Teeman said after leaving the bar, he wanted to get something to eat. He said he had not eaten since lunch, so he drove from the bar to the McDonald's. Mr. Teeman said he pulled into McDonald's parking lot and was going to use the drive thru, however, the line was too long. Mr. Teeman said between the time he left the drive thru line and when he parked, he bumped into another car (which he learned at a later time when Deputy Carter pointed out the paint transfer and damage to their respective vehicles).

I asked Mr. Teeman how he exited the drive thru. Mr. Teeman said he just veered off (as opposed to backing up). I asked Mr. Teeman if he remembered hitting a (Deputy Carter's) car. Mr. Teeman said he did not remember any collision. I asked if he remembered a car alarm going off and he said he did not.

**Investigators Note:** The McDonalds' security video clearly showed Mr. Teeman's car backing up out of the drive thru line and colliding with Deputy Carter's vehicle.

I asked Mr. Teeman after he hit Deputy Carter's car, did he (Mr. Teeman) park right next to Deputy Carter's car. Mr. Teeman said he wasn't sure if he parked next to Deputy Carter's car or Deputy Carter parked his car next to his. Mr. Teeman said he did not know if Deputy Carter was backing out of a parking spot in the parking lot or if he hit Deputy Carter's car while he was going through the drive thru because he did not feel the collision.

Mr. Teeman explained that when he returned home that night (referring to after the shooting incident) he was so "keyed up" that he drank a bottle of wine to calm down. He said because of that, his recollection of the events was a little "foggy."

Recounting the incident, Mr. Teeman said after he parked in the McDonald's parking lot, a male black, Deputy Carter, approached him and told him he had hit his car. He said Deputy Carter showed him the paint transfer on his (Mr. Teeman's) car. Mr. Carter described Deputy Carter as a black male, who was taller than him (5'11"), but could not provide any further description.

Mr. Teeman said he handed Deputy Carter his insurance information which he got from his wallet. He said Deputy Carter took his information but only stood there and didn't do anything with it.

Mr. Teeman said Deputy Carter asked him if he had been drinking and said he was a "cop". Deputy Carter told Mr. Teeman he was going to call the police. Mr. Teeman said Deputy Carter moved his shirt and showed him his gun, which was in or attached to his waistband, but he never saw a badge or police identification.

Later in the interview, Sergeant Tombol asked Mr. Teeman which side of the deputy's waistband was the gun located and asked for a description of the gun. Mr. Teeman said he did not remember, other than he thought the gun was in a holster.

I asked Mr. Teeman if the deputy ever made any phone calls. Mr. Teeman said Deputy Carter said he was going to, but he never saw him make any calls. I asked Mr. Teeman who Deputy Carter said he was going to call. Mr. Teeman answered, "The police." He said Deputy Carter told him that before he said he was a cop and showed him his gun.

Mr. Teeman said he "freaked" (upon seeing the gun) and jumped in his car and drove away. Mr. Teeman said he did not know if Deputy Carter was a cop or a gang member. Mr. Teeman said he had been a victim of a robbery, where a gun was pointed at his head, so he just wanted to get out of the situation.

I asked Mr. Teeman if Deputy Carter said anything to him or ordered him not to leave as he (Mr. Teeman) got into his car. He said he did not remember. I asked Mr. Teeman if Deputy Carter told him to stop. Mr. Teeman said he did not remember Deputy Carter saying anything. Later in the interview, I asked Mr. Teeman if it was possible that the deputy told him to stay at the location and he said it was.

I asked Mr. Teeman if he said anything to Deputy Carter (while leaving the location) and he said he did not remember. Mr. Teeman said the only thing he remembered was seeing Deputy Carter in his rear view mirror. Mr. Teeman said he thought Deputy Carter was chasing after him. He said he heard some sounds but his radio was blaring and did not think anything of it.

I asked Mr. Teeman if he called the police or tried to wave someone down for help. Mr. Teeman said, "For a fender bender?" I told Mr. Teeman that he told us that Deputy Carter had shown him a gun. Mr. Teeman said if Deputy Carter was a gang member, he would have only placed himself in jeopardy if he had tried to call the police. He said he just wanted to get home.

Mr. Teeman said after he drove away from McDonald's, the tire on his car went flat. He said he thought that Deputy Carter might have shot at him, and was possibly chasing him.

Later in the interview, Mr. Teeman said that when he drove away, he turned left out of the McDonald's parking lot, made a right turn on to Lyons Avenue, and a left turn onto an



unknown street. He said when the tire on his car went flat, he tried to get as close to his apartment as possible before leaving his car and running home. He said he did not know where he left his car parked. I asked Mr. Teeman if he tried to contact the police when he got home. He said he did not. He said he was not sure if he had been involved in a shooting incident.

**Investigator's Note:** We saw that Mr. Teeman had no signs of injury and no complaint of injury or pain.

I asked Mr. Teeman if he felt he was drunk during the incident. He said he was not. I told Mr. Teeman that his collision was captured on McDonald's security video. I told him that he set off Deputy Carter's car alarm which he said he did not hear or see. I told Mr. Teeman that due to his inability to recall events, it appeared that he was impaired to some degree at the time of the incident. Mr. Teeman said he did not think he was impaired.

I asked Mr. Teeman how long he thought he was at the location with the deputy from beginning to end. Mr. Teeman said he had no idea.

I asked Mr. Teeman if Deputy Carter said anything or did anything when he (Mr. Teeman) got back into his car. Mr. Teeman said, "Not that I know of." I asked Mr. Teeman if Deputy Carter attempted to stop him. Mr. Teeman said "Not that I know of."

I asked Mr. Teeman if Deputy Carter attempted to grab or touch him. Mr. Teeman said Deputy Carter attempted to grab him before he got into his car but could not describe how Deputy Carter did it.

I asked Mr. Teeman if once he was in the car, Deputy Carter attempted to stop him from leaving. Mr. Teeman said he had no idea. I asked Mr. Teeman if he remembered whether his windows were up or down. He said the windows were up. I asked if he was sure. Mr. Teeman said he had some doubt, and wasn't one hundred percent sure about anything because he drank a bottle of wine when he got home.

I asked Mr. Teeman if he knew where Mr. Carter was located while he was driving away in his car, and he said he did not. I asked Mr. Teeman if Deputy Carter was beside his car as he drove away and he said it was possible, but he did not know. I asked if Deputy Carter said anything to him as he drove away and Mr. Teeman said he did not know.

I asked Mr. Teeman if he remembered if Deputy Carter ever reached into his car or if he fought with him as he was driving away. He said he did not. I asked Mr. Teeman if he remembered if the deputy tried to reach over and grab the gear shift or the keys to his car. He said he did not. I asked if those things could have happened and Mr. Teeman said it was possible.

I asked Mr. Teeman if the deputy ever told him he was under arrest. Mr. Teeman said, "No, I don't think so, because then I would have been under arrest."

We concluded our interview with Mr. Teeman.

We drove Mr. Teeman to Santa Clarita Station, per his request, and made arrangements to have his car released from impound. Mr. Teeman said he was also missing his driver's license. We contacted [REDACTED] who located Mr. Teeman's driver's license, and returned it to him.

We asked Santa Clarita Sheriff's Station Law Enforcement Technician (LET) Julie Ibrahim # [REDACTED] to check the station's calls or records for 08-20-10, between 2100 - 2200 hours for any recording or record of a call for service to report a traffic collision and/or drunk driver at the McDonald's (located at 25323 Chiquella Lane in Stevenson Ranch).

LET Ibrahim advised that Santa Clarita's voice print system was not working 08-20-10, through 08-22-10, and no calls were recorded. She said there was no record of any calls at the location for a 902N (traffic accident) or 502 (drunk driver) in the CAD (Computer Aided Dispatch) system.

LET Ibrahim also checked with California Highway Patrol operator #9143 regarding any possible calls for service regarding the above listed date, times and location and was told no calls were received.

On 08-26-10, I contacted Deputy [REDACTED] from the Technical Operations Detail. He created a number of still photographs (**Exhibit F**) from the McDonald's digital security recordings and also combined the videos to show chronological chain of events. The following locations were also checked by Internal Criminal Investigations Bureau Captain William Carey # [REDACTED] for possible security video that may have captured any or all of the incident with the following results:

**Denny's Restaurant** - 25341 Chiquella Lane - [REDACTED] no cameras

**Tire World** - 25340 Chiquella Lane, 661 2592004, [REDACTED] no cameras

**Shell Gas Station** - 25340 Chiquella Lane, [REDACTED] cameras only cover mini-mart area

On 09-08-10, ICIB Sergeants Tombol # [REDACTED] and Weber # [REDACTED] interviewed [REDACTED] at his residence (see supplemental report by Sergeant Tombol).

I contacted Deputy Jeff Collins # [REDACTED] from Scientific Service Bureau and obtained his supplemental report (**Exhibit G**) regarding the crime scene investigation, photographs and sketch of the shooting location. Deputy Collins recovered 5 bullet casings and located a bullet hole at 25340 Chiquella Lane at the Tire World.

**Investigators Note:** Tire World is located across the street from McDonald's restaurant.

OCTOBER 6, 2010

9

910-00043-2003-441

I contacted Firearms Examiner, Phil Teramoto # [REDACTED] from Scientific Service Bureau and obtained his supplemental reports (**Exhibit H**) regarding the field investigation and examination of Deputy Carter's firearm (**EV/1**). He observed that Mr. Teeman's car was struck with 4 rounds, with one bullet hole in the rear bumper, two bullet holes in the driver's side door and one bullet hole in the rear passenger tire.

On 10-06-10, I contacted Deputy Carter's Attorney, Mitch Kander, regarding interviewing Deputy Carter. I later received an e-mail from Deputy Carter stating he declined to give any statement on the advice of his attorney (**Exhibit I**).

**BY: SERGEANT WILLIAM CASSIDY, # [REDACTED]**

**APPROVED BY: LIEUTENANT DONNA L. COPPLIN # [REDACTED] 10-14-2010 1439 HOURS** *[Signature]*

**INTERNAL CRIMINAL INVESTIGATIONS BUREAU  
LEADERSHIP AND TRAINING DIVISION**

## COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - INCIDENT REPORT

**DATE:** MARCH 24, 2010

**FILE NO.:** 910-00043-2003-441

**C:** ASSAULT WITH A DEADLY WEAPON -  
FIREARM - 245(a)(2) P.C.

**ACTION:** INACTIVE / CASE CLOSED

**D:** AUGUST 20, 2010, 2230 HOURS

**L:** 25323 CHIQUELLA LANE  
STEVENSON RANCH ,CALIFORNIA 91381

**S:** CARTER, DESMOND MB/34  
DEPUTY SHERIFF # [REDACTED]  
SOUTH FACILITY  
CUSTODY OPERATIONS DIVISION

The purpose of this supplemental report is to document that the Los Angeles County District Attorney's Office Justice System Integrity Division declined to initiate criminal proceedings against Deputy Carter.

On November 2, 2011, the case was submitted to Assistant Head Deputy District Attorney John Moulin of the Justice System Integrity Division of the Los Angeles County District Attorney's Office for filing consideration.

On March 17, 2011, Justice System Integrity Division Deputy District Attorney Jason Lustig completed his review of the case and determined that there was insufficient evidence to prove the case beyond a reasonable doubt and declined to initiate criminal proceeding against Deputy Carter (refer to attached Charge Evaluation Worksheet).

Based on the above, the Internal Criminal Investigation Bureau case was closed on March 24, 2011. Deputy Carter was a probationary employee at the time of this incident and his employment was terminated prior to this case disposition. Internal Criminal Investigations Bureau Sergeant William Cassidy briefed Internal Affairs Bureau Captain Joseph Gooden. The case was referred to Internal Affairs Bureau for administrative disposition under IAB IV2272744.

**BY:** SERGEANT WILLIAM CASSIDY, # [REDACTED]

**APPROVED BY:** LIEUTENANT DONNA COPPLIN # [REDACTED] 03-28-11 0954 HOURS *[Signature]*

**INTERNAL CRIMINAL INVESTIGATIONS BUREAU  
LEADERSHIP AND TRAINING DIVISION**

**LOS ANGELES COUNTY DISTRICT ATTORNEY  
CHARGE EVALUATION WORKSHEET**

Page 1 of 6

<input checked="" type="checkbox"/> FELONY  <input type="checkbox"/> MISDEMEANOR	AGENCY NAME LASD - INTERNAL AFFAIRS AGENCY FILE NO. (DR OR URN) 910-00043-2003-441	DA CASE NO. 31413612 DA OFFICE CODE J.S.I.D. 10-0857R	DATE 03/08/2011 VICTIM ASSISTANCE REFERRAL <input type="checkbox"/> YES - NOTIFY VWAP <input type="checkbox"/> NO
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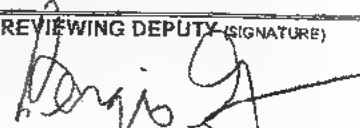
  

SUSP NO.	SUSPECT	CHARGES			
		CODE	SECTION	OFFENSE DATE	REASON CODE
1	NAME (LAST, FIRST MIDDLE)) CARTER, DESMOND	PC	245(B)	08/20/2010	B
		PC	246.3	08/20/2010	B
	DOB [REDACTED] SEX (M/F) M BOOKING NO. VIP -- Yes X No				
	Gang Member Name of Gang		Victim Gang Member Name of Gang:		
	Victim Name:		Victim DOB:		
2	NAME (LAST, FIRST MIDDLE))				
	DOB SEX (M/F) BOOKING NO. VIP -- Yes -- No				
	Gang Member Name of Gang				
3	NAME (LAST, FIRST MIDDLE))				
	DOB SEX (M/F) BOOKING NO. VIP -- Yes -- No				
	Gang Member Name of Gang				

Comments  
 SEE ATTACHED.

COMPLAINT DEPUTY (print) JASON P. LUSTIG/srmm	COMPLAINT DEPUTY (SIGNATURE) 	STATE BAR NO. 132482	REVIEWING DEPUTY (SIGNATURE) 
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I have conveyed all relevant information to the above-named Deputy District Attorney to be used in consideration of a filing decision.

ING OFFICER (PRINT) WILLIAM CASSIDY/L.A.S.D. FILING OFFICER (SIGNATURE) **MAILED 03/17/11** SERIAL # 00

<b>DEPARTMENT OF JUSTICE REASON CODES (FORM 8715)</b>  A. Lack of Corpus B. Lack of Sufficient Evidence C. Inadmissible Search/Seizure	D. Victim Unavailable/Declines To Testify E. Witness Unavailable/Declines to Testify F. Combined with Other Counts/Cases G. Interest of Justice	H. Other (indicate the reason in Comments section) I. Referred to Non-California Jurisdiction J. Deferred for Revocation of Parole K. Further Investigation	L. Prosecutor Prefiling Deferral <b>DISTRICT ATTORNEY'S REASON CODES</b> M. Probation Violation filed in lieu of N. Referred to City Attorney for Misdemeanor Consideration
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LAST NAME CARTER

FIRST NAME: DESMOND

DA CASE NUMBER: 31413612

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its examination of the allegations that former Los Angeles County Sheriff's Department (LASD) Deputy Desmond Carter, Serial # [REDACTED] committed the crimes of assault with a semiautomatic firearm and grossly negligent discharge of a firearm in violation of Penal Code sections 245(b) and 246.3.<sup>1</sup> For the reasons set forth below, this office declines to initiate criminal proceedings against Desmond Carter.

The following analysis is based upon investigative reports, with attachments, which were prepared and submitted to this office by LASD Internal Criminal Investigations Bureau (ICIB) Sergeant William Cassidy. Compelled statements, if any exist, were not considered as part of this analysis.

### FACTUAL ANALYSIS

On August 20, 2010, at approximately 10:10 p.m., Desmond Carter was off-duty at a McDonald's restaurant located at 25323 Chiquella Lane in the City of Stevenson Ranch. While waiting in line to buy food, Carter heard his car alarm activate. An unidentified female walked in and said that someone had crashed into a car in the parking lot. Carter went outside and saw that the rear bumper of his car was damaged. Carter contacted the driver of the other car, Ronald Teeman, who had parked about 30 feet away. Carter questioned Teeman about the collision, but Teeman appeared to be unaware that he had collided into Carter's car. Carter believed Teeman to be under the influence of drugs.<sup>2</sup>

Carter returned to his car and moved it next to Teeman's. Teeman gave his insurance card to Carter who copied the information. Carter returned the card to Teeman who entered his car and began to drive away. Carter removed his service weapon from his fannypack, identified himself as a deputy sheriff and told Teeman to stop. Teeman said, "Fuck you" and continued to back out of the parking spot. Carter reached through the driver's window attempting to put the car in park or turn off the ignition. Teeman drove forward with Carter at the driver's side. Carter claimed that Teeman sped away with Carter hanging on the driver's door, dragging him about 15 feet before Carter managed to disengage himself from the car. As Teeman drove out of the parking lot, Carter fired five rounds from his service weapon, striking the lower rear of the car four times.

About 12 hours later, Sheriff's investigators contacted Teeman at his residence on [REDACTED] in the City of Valencia. When Teeman saw the investigators at his door, he said, "I was going to come see you. I guess he really was a cop." Teeman told the investigators that on the prior evening he was involved in a car accident at a McDonald's and someone shot at him. He had just awakened and intended to look for his car. For 90 minutes, investigators drove with Teeman around the area in an

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<sup>1</sup> Carter began his county service as a Safety Police Officer in June 2005. He transferred to the LASD in June 2010 and was on probation at the time of this incident. On September 4, 2010, Carter's employment with LASD was terminated as a result of this incident.

<sup>2</sup> Carter did not smell alcohol, but noted that Teeman's train of thought did not appear to be normal.

unsuccessful attempt to find his car. Teeman accompanied the investigators to the Santa Clarita station where he was interviewed.

At the time of the incident, Teeman drove to the drive-thru lane of a McDonald's to buy food. As Teeman veered out of the drive-thru lane to avoid the long line, his car apparently collided with another car parked in the parking lot.<sup>3</sup> He began exchanging information with the owner of the other car, Carter, who told him he was a "cop" and displayed a gun. Carter accused him of drinking and told him he was going to call the police.<sup>4</sup> Since Carter neither displayed a badge nor appeared to call the police, and since Teeman had been robbed previously at gunpoint, Teeman became frightened, entered his car and drove away. Teeman "freaked" because he did not know whether Carter was a law enforcement officer or a gang member. Carter tried to pull him out of his car, but Teeman was able to lock the door with the window closed and drive away.

Teeman did not recall that Carter tried to grab the car keys or move the gear shifter, but conceded that it was possible. Teeman did not know where Carter was as he was driving away. As he drove away, Teeman heard possible gun shots, but he was uncertain at the time because his radio volume was turned high. Teeman's tire went flat, so he parked and ran home. Teeman drank some wine to calm his nerves and went to sleep.<sup>5</sup> He hoped to awake in the morning to learn that nothing actually happened. He admitted that one of the reasons why he drove away was that he had had one beer at 9 p.m. at a bar while waiting for his friend, [REDACTED].<sup>6</sup> Teeman was uncertain whether his blood alcohol level was over the legal limit.

Several hours later, investigators located Teeman's car in the City of Newhall, approximately one and a half miles from Teeman's residence. There were deep scratches on the passenger side of the rear bumper matching the damage to Carter's car. The passenger side rear tire was flat. There were four bullet holes in the rear area of the car in the: (1) rear bumper above the license plate; (2) driver's side rear bumper near the turn signal light; (3) driver's side rear quarter panel, under the gas filler cover; and (4) inner side wall of the rear passenger side tire. The three recovered bullets and bullet fragments matched Carter's service weapon. Carter's fifth shot struck the wall of a closed tire repair shop across the street from the McDonald's. The hole in the tire shop wall was about two feet from the ground.

<sup>3</sup> The security video shows Teeman backing out of the drive-thru, not veering around it. Teeman did not recall colliding into Carter's car and did not know how it occurred. He also did not hear the alarm sound. Nevertheless, Teeman maintained that he was not under the influence of drugs or alcohol at the time of the incident.

<sup>4</sup> Investigators were unable to locate a record of any calls for assistance from Carter.

<sup>5</sup> In an interview with ICIB investigators four days later, Teeman blamed his "foggy" recollection of the event on the wine he drank when he came home.

<sup>6</sup> [REDACTED] told investigators that Teeman was his [REDACTED] and friend for several years until about a year and a half ago. On the evening of the incident, at 9:00 p.m., [REDACTED] met Teeman by chance at a local bar. [REDACTED] having previously seen Teeman under the influence of alcohol, described Teeman on this occasion to be "hammered." Teeman was hostile toward [REDACTED] saying "You're gonna pay for how you treated me."

### **McDonald's Security Video**

Several security cameras from the McDonald's captured portions of this incident. The video shows Teeman's car bumping into Carter's car and activating its flashing hazard lights. Teeman parks several spaces away. Carter makes contact with Teeman and then moves his car next to Teeman's. After some time, Teeman backs up with Carter at his driver's window and then drives forward with Carter along side the driver's window toward the parking lot exit. Carter is bent at the waist with his hands extended forward in a shooting stance while Teeman's car is about 20 feet away exiting the parking lot. The video was taken from the passenger side of Teeman's car so it did not capture any activities on the driver's side.

### **Factual Conclusions**

The investigation reveals that Teeman was driving while highly intoxicated when he collided into Carter's car. [REDACTED] Teeman's estranged friend, described Teeman to be "hammered" about an hour before this incident. Carter described Teeman as being under the influence of drugs and displaying an abnormal train of thought. Teeman admitted that he was unaware that he had collided into Carter's car and, after intense questioning, that he left the scene because he was concerned he might be arrested for driving under the influence. Even with the assistance of investigators, Teeman was unable to locate the car he parked the night before. Therefore, when Teeman re-entered his car and began to drive away he became a danger to other drivers and pedestrians on the road.

There was no evidence that Carter was physically injured and his clothing was not damaged. Teeman said that Carter did not reach inside of his car. However, Teeman's recollection of the events was weak and he left open the possibility that Carter's version was true. The security video did not capture what transpired on the driver's side of Teeman's car. Investigators were unable to locate any other witnesses. At trial, Carter would be free to present his version of events mostly uncontradicted. As a result, for the purpose of this analysis, it will be assumed that there is evidence that Carter was dragged by Teeman's car.

### **LEGAL ANALYSIS**

#### **Assault with a Firearm**

Penal Code section 245(b) provides "Any person who commits an assault upon the person of another with a semiautomatic firearm shall be punished by imprisonment in the state prison . . ." Penal Code section 240 defines "assault" as "an unlawful attempt . . . to commit a violent injury on the person of another."

Carter was trying to have Teeman remain at the scene to await the arrival of law enforcement for a driving under the influence investigation. Carter did not exhibit hostility or aggression toward Teeman until he tried to drive away. When Teeman began



to drive away, Carter had every reason to believe that Teeman was under the influence of an unknown substance and posed a danger to others on the road. In firing his service weapon at Teeman's car, it appears that Carter was intentionally shooting at the lower portion of Teeman's car to flatten the tires, which is exactly what happened. Four of Carter's shots hit the lower portion of Teeman's car, including one that hit a tire. The fifth shot hit the lower portion of the tire shop wall. Since the crime of assault requires the intent to injure another person, as opposed to car tires, there is insufficient evidence to prove an assault with a firearm beyond a reasonable doubt.

### **Grossly Negligent Discharge of Firearm**

To prove the crime of negligent discharge of a firearm, California Criminal Jury Instructions (CALCRIM) No. 970 requires the People to establish that:

1. The defendant willfully shot a firearm;
2. The defendant did the shooting with gross negligence;
3. The shooting could have resulted in the injury or death of a person; and
4. The defendant did not act in self-defense or in defense of someone else.

Law enforcement officers are obligated to take action to protect the public by apprehending criminals. In *Brown v. Ransweiler*, (2009) 171 Cal.App.4th 516, 527, the Court of Appeal held:

An officer "'may use reasonable force to make an arrest, prevent escape or overcome resistance, and need not desist in the face of resistance.'" (*Munoz v. City of Union City* (2004) 120 Cal.App.4th 1077, 1102 [16 Cal. Rptr. 3d 521] (*Munoz*), citing *Pen. Code, § 835a.*) "'Unlike private citizens, police officers act under color of law to protect the public interest. They are charged with acting affirmatively and using force as part of their duties, because 'the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it.' [Citation.]" (*Munoz, supra*, 120 Cal.App.4th at p. 1109.)

In *Graham v. Conner* (1989) 490 U.S. 386, 396-397, the Court held that use of force cases are to be reviewed using an objective standard of the reasonable officer:

"The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. [Citation.] . . . With respect to a claim of excessive force, the same standard of reasonableness at the moment applies: 'Not every push or shove, even if it may later seem unnecessary in the peace of a judge's chambers,' [citation] violates the Fourth Amendment. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments -- in circumstances that are tense, uncertain, and rapidly evolving -- about the amount of force that is necessary in a particular situation."

In protecting himself or another, a person may use all force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. (*California Criminal Jury Instructions* 3470.) If the person's beliefs were reasonable, the danger does not need to have existed. *Id.*

A peace officer is entitled to use deadly force to capture a dangerous person who has committed a felony. A dangerous person is defined as one who (a) poses a significant threat of death or serious bodily injury to the person attempting the apprehension or others, or (b) has committed a forcible and atrocious felony. *People v. Ceballos* (1974) 12 Cal.3d 470. A forcible and atrocious felony is one that by its nature and manner of its commission reasonably creates a fear of death or great bodily injury. CALCRIM 505 (bench notes).

A police officer may use deadly force to apprehend a suspect "where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either to the officer or others ... . Thus, if the suspect threatens the officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm, deadly force may be used if necessary to prevent escape ... ." *Tennessee v. Garner* (1985) 471 U.S. 1, 11.

When Carter exited the McDonald's and initially contacted Teeman, he was acting as a private citizen. However, once he realized that Teeman was intoxicated and involved in a traffic accident, Carter entered his role as a law enforcement officer. He identified himself as a deputy, displayed his service weapon and ordered Teeman to await the police. When Teeman began to leave, Carter was entitled to use reasonable force to prevent his escape and overcome his resistance. In trying to pull Teeman from the car and turn off the ignition, Carter was using reasonable force to prevent an impaired driver from endangering others.

In driving away with Carter caught over the driver's door, Teeman had arguably committed a felonious assault on Carter and confirmed that he was willing to cause great bodily harm to evade arrest. As Teeman continued to drive out of the parking lot, he became a danger to others on the highway. As a peace officer, Carter was obligated to act in the public's interest. Teeman had committed a forcible felony and demonstrated that he was a dangerous person posing a threat of injury to others. Whether or not, under the circumstances, firing his service weapon to disable Teeman's car exacerbated the danger, it appears that Teeman was doing so in defense of the public. In any event, it cannot be proven beyond a reasonable doubt that Carter was *not* acting "in defense of someone else" when he discharged his weapon at Teeman's car. As a result, the crime of grossly negligent discharge of a firearm cannot be established.

Based upon the evidence examined, we decline to initiate criminal proceedings against Desmond Carter. We are closing our file and will take no further action in this matter.